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IN BOUND VOLUMES

RMcK  
Memphis, TN

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

OZBURN-HESSEY LOGISTICS, LLC,

and

Cases 26-CA-092192  
15-CA-097046  
15-CA-105527  
15-CA-106180  
15-CA-106387  
15-CA-106511  
15-CA-109235  
15-CA-111520  
15-CA-111523  
15-CA-117208  
15-CA-119925  
15-CA-119826  
15-CA-123315  
15-CA-111581

UNITED STEEL, PAPER AND FORESTRY,  
RUBBER, MANUFACTURING, ENERGY,  
ALLIED INDUSTRIAL AND SERVICE  
WORKERS INTERNATIONAL UNION,  
AFL-CIO, CLC a/k/a UNITED  
STEELWORKERS UNION

and

Case 15-CA-117208

LAUREN KEELE

and

Case 15-CA-108749

STACEY WILLIAMS

ORDER DENYING MOTION FOR RECONSIDERATION<sup>1</sup>

The Respondent's motion for reconsideration of the Board's Decision and  
Order reported at 366 NLRB No. 177 (2018) is denied. The Respondent has not

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

demonstrated extraordinary circumstances warranting reconsideration under Section 102.48(c)(1) of the Board's Rules and Regulations.<sup>2</sup>

Dated, Washington, D.C., December 3, 2018.

John F. Ring, Chairman

Lauren McFerran, Member

Marvin E. Kaplan, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

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<sup>2</sup> The Respondent moves for reconsideration of the Board's conclusions that the Respondent's discharges of employees Shawn Wade, Nannette French, Jerry Smith Sr., and Stacey Williams violated Sec. 8(a)(3), the Board's Order requiring it to reinstate employee Lauren Keele with backpay, and the expanded notice-reading, notice-posting, and notice-publication remedies. With respect to French's discharge, the Respondent contends that the judge's credibility findings preclude the Board from inferring from circumstantial evidence that the Respondent had knowledge of French's union activity. We disagree. While the judge credited Operations Manager Margaret Bonner's testimony that Bonner did not observe French distributing union cards, Bonner did not testify that she had no other source of knowledge that French had distributed union cards.

Chairman Ring adheres to his partial dissent in the underlying decision, but he agrees that the Respondent has not shown extraordinary circumstances warranting reconsideration.

Member Kaplan did not participate in the underlying decision, and he expresses no view as to whether it was correctly decided. He agrees, however, that the Respondent's motion for reconsideration should be denied because the Respondent has not shown extraordinary circumstances warranting reconsideration.